

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chair Gordon Vance, on March 23, 2017 at 3:00 PM, in Room 405  
Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Gordon Vance, Chair (R)  
Sen. Steve Fitzpatrick, Vice Chair (R)  
Sen. Carlie Boland (D)  
Sen. Dee Brown (R)  
Sen. Edward Buttrey (R)  
Sen. Terry Gauthier (R)  
Sen. Jen Gross (D)  
Sen. JP Pomnichowski (D)  
Sen. Roger Webb (R)  
Sen. Lea Whitford (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Laura Sankey Keip, Legislative Branch  
Tia Stockton, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Executive Action: HB 205 - Tied vote; remains in committee  
HB 415 - Be concurred in as amended  
SB 334 - Be tabled  
HB 355 - Be concurred in as amended  
SB 332 - Do pass  
HB 459 - Partial action

00:00:02 Chair Vance  
00:01:01 Sen. Gross  
00:01:08 Chair Vance

00:04:33 Chair Vance left the meeting.

00:01:55 Vice Chair Fitzpatrick assumed the role as chair.

**EXECUTIVE ACTION ON HB 205**

00:01:59 **Motion:** Sen. D. Brown moved that **HB 205 BE CONCURRED IN AS AMENDED.** (Previously amended on 3/21/2017)

**Discussion:**

00:02:32 Chair Fitzpatrick  
00:02:36 Sen. Gauthier  
00:02:52 Sen. Whitford  
00:04:46 Chair Fitzpatrick  
00:04:57 Sen. Whitford  
00:05:36 Sen. Pomnichowski  
00:08:16 Sen. Brown

00:09:13 **Vote:** Motion failed 5-5 by roll call vote with Sen. D. Brown, Sen. Buttrey, Sen. Fitzpatrick, Sen. Gauthier and Sen. R. Webb voting aye. Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON HB 415**

00:10:04 **Motion:** Sen. D. Brown moved that **HB 415 BE CONCURRED IN.**

00:10:39 **Motion:** Sen. D. Brown moved that **HB 415 BE AMENDED.**  
[EXHIBIT\(his60a01\)](#)

**Discussion:**

00:11:26 Sen. Gross  
00:11:38 Sen. Whitford  
00:12:06 Sen. Brown

00:12:11 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

00:12:26 **Motion:** Sen. D. Brown moved that **HB 415 BE CONCURRED IN AS AMENDED.**

**Discussion:**

00:12:38 Sen. Brown

00:13:28 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy. Sen. Brown will carry the bill.

**EXECUTIVE ACTION ON SB 334**

00:13:55 **Motion:** Sen. D. Brown moved that **SB 334 DO PASS.**

**Discussion:**

00:14:24 Chair Fitzpatrick

[EXHIBIT\(his60a02\)](#)

[EXHIBIT\(his60a03\)](#)

[EXHIBIT\(his60a04\)](#)

[EXHIBIT\(his60a05\)](#)

00:15:50 Laura Sankey Keip, Legislative Services Division (LSD)

00:16:33 Sen. Brown

00:17:39 Chair Fitzpatrick

00:17:43 Ms. Keip, LSD

00:18:30 Sen. Pomnichowski

00:18:39 Ms. Keip

00:19:39 **Motion/Vote:** Sen. D. Brown moved that **SB 334 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

00:20:03 **Motion:** Sen. D. Brown moved that **SB 334 DO PASS AS AMENDED.**

**Discussion:**

00:20:10 Chair Fitzpatrick

00:20:20 Sen. Buttrey

00:20:52 Ms. Keip

00:21:19 Sen. Buttrey

00:21:34 Chair Fitzpatrick

00:21:45 Duane Williams, Montana Department of Transportation (MDT)

00:22:12 Sen. Buttrey

00:22:18 Mr. Williams, MDT

00:22:24 Sen. Whitford

00:22:39 Sen. Buttrey

00:23:25 Chair Fitzpatrick

00:23:29 Sen. Buttrey

00:23:32 Sen. Webb

00:23:42 Ms. Keip

00:23:56 Sen. Buttrey

00:24:07 Sen. Brown

00:24:25 Sen. Buttrey

00:24:48 Sen. Webb

00:24:55 Chair Fitzpatrick

00:25:11 Ms. Keip

00:25:35 Chair Fitzpatrick

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00:25:49 Sen. Boland  
00:26:10 Sen. Gross  
00:26:48 Sen. Whitford  
00:27:04 Sen. Buttrey  
00:27:19 Chair Fitzpatrick  
00:27:26 Sen. Gross  
00:27:37 Chair Fitzpatrick  
00:27:52 Sen. Gross

00:28:10 **Motion:** Sen. Fitzpatrick moved that **SB 334 BE AMENDED.**

**Discussion:**

00:28:30 Sen. Brown  
00:28:39 Sen. Buttrey

00:28:51 **Vote:** Motion failed 5-5 by roll call vote with Sen. Boland, Sen. Brown, Sen. Gauthier, Sen. Pomnichowski and Sen. Vance voting aye. Sen. Vance voted by proxy.

00:29:37 **Motion:** Sen. Fitzpatrick moved that **SB 334 BE AMENDED.**

**Discussion:**

00:29:49 Sen. Buttrey  
00:30:00 Ms. Keip  
00:30:10 Chair Fitzpatrick  
00:30:26 Sen. Gross  
00:30:45 Sen. Buttrey  
00:30:54 Sen. Gross  
00:31:21 Sen. Whitford  
00:31:29 Ms. Keip  
00:31:52 Sen. Boland  
00:32:16 Chair Fitzpatrick  
00:32:28 Sen. Buttrey  
00:33:00 Sen. Pomnichowski

00:34:08 **Vote:** Motion carried 6-4 by roll call vote with Sen. D. Brown, Sen. Buttrey, Sen. Vance and Sen. R. Webb voting no. Sen. Vance voted by proxy.

00:34:46 **Motion:** Sen. D. Brown moved that **SB 334 DO PASS AS AMENDED.**

**Discussion:**

00:34:58 Sen. Pomnichowski  
00:36:17 Sen. Boland

00:36:47 **Vote:** Motion failed 4-6 by roll call vote with Sen. Buttrey, Sen. Fitzpatrick, Sen. Gauthier and Sen. R. Webb voting aye. Sen. Vance voted by proxy.

00:37:15 **Motion/Vote:** Sen. D. Brown moved that **SB 334 BE TABLED**. Motion carried 9-1 by voice vote with Sen. R. Webb voting no. Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON HB 355**

00:37:37 **Motion/Vote:** Sen. Buttrey moved that **HB 355 BE REMOVED FROM TABLE**. Motion carried 7-2 by roll call vote with Sen. D. Brown and Sen. R. Webb voting no. Sen. Vance was excused.

**Discussion:**

00:39:43 Sen. Buttrey  
00:39:46 Ms. Keip

00:39:58 **Motion:** Sen. Buttrey moved that **HB 355 BE CONCURRED IN**.

**Discussion:**

00:40:00 Sen. Buttrey  
00:42:51 Sen. Brown

00:43:25 **Motion:** Sen. Buttrey moved that **HB 355 BE AMENDED CONCEPTUALLY**.

**Discussion:**

00:44:15 Chair Fitzpatrick  
00:44:20 Sen. Buttrey  
00:44:38 Sen. Gross  
00:44:50 Sen. Buttrey

00:45:16 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

00:45:29 **Motion/Vote:** Sen. D. Brown moved that **HB 355 BE CONCURRED IN AS AMENDED**. Motion carried 9-1 by voice vote with Sen. Boland voting no. Sen. Vance voted by proxy. Sen. Buttrey will carry the bill.

**Discussion:**

00:46:29 Sen. Buttrey  
00:46:40 Sen. Brown  
00:47:38 Sen. Buttrey

**EXECUTIVE ACTION ON SB 332**

00:48:35 **Motion:** Sen. D. Brown moved that **SB 332 DO PASS**.

**Discussion:**

00:49:10 Sen. Pomnichowski

00:49:26 Sen. Vance entered the meeting.

00:51:04 Sen. Buttrey

00:51:13 Sen. Pomnichowski

00:51:21 Sen. Buttrey

00:51:57 Sen. Whitford

00:52:59 **Vote:** Motion carried 6-4 by roll call vote with Sen. Boland, Sen. Gross, Sen. Pomnichowski and Sen. Whitford voting no.

**Discussion:**

00:53:29 Sen. Gauthier

00:54:24 Chair Fitzpatrick

00:54:29 Sen. Gauthier

**EXECUTIVE ACTION ON HB 459**

00:54:42 **Motion/Vote:** Sen. Gauthier moved that **HB 459 BE REMOVED FROM TABLE.** Motion carried 7-3 by roll call vote with Sen. D. Brown, Sen. Vance and Sen. R. Webb voting no.

00:55:17 **Motion:** Sen. Gauthier moved that **HB 459 BE CONCURRED IN.**

**Discussion:**

00:55:24 Sen. Brown

00:56:13 Sen. Buttrey

00:56:50 Shantil Siaperas, Montana Association of Counties

00:57:17 Sen. Buttrey

00:57:39 Sen. Vance

00:57:46 Sen. Pomnichowski

00:58:05 Sen. Brown

00:58:23 Sen. Fitzpatrick

00:58:38 Sen. Buttrey

00:58:47 Ms. Keip

00:58:59 Without objection, Sen. Gauthier withdrew the BE CONCURRED IN motion.

00:59:25 Chair Fitzpatrick

00:59:28 Chair Vance assumed the role as chair.

01:00:03 Sen. Buttrey

01:00:14 Chair Vance

**ADJOURNMENT**

Adjournment: 4:04 PM

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Tia Stockton, Secretary

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Additional Documents:

**EXHIBIT**([his60aad.pdf](#))